

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

SUZETTTE NICOLE BOURCIER,

Plaintiff,

vs.

ANDREW SAUL, Commissioner of  
Social Security,

Defendant.

CV 19-51-M-KLD

ORDER

Plaintiff Suzette N. Bourcier ("Bourcier"), by and through her attorney, John E. Seidlitz, Jr., moves under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. §2412(d), for attorney fees incurred in prosecuting her Social Security appeal. Plaintiff initially requested \$17,232.73 in fees.

Counsel for Defendant Commissioner of Social Security ("Commissioner") has been contacted and stipulates to a reduced fee of \$15,000.00.

Upon plaintiff's stipulated application for fees under the Equal Access to Justice Act, and for good cause showing:

**IT IS HEREBY ORDERED** that Bourcier's Application for Award of EAJA Fees is GRANTED. Bourcier shall recover from the Commissioner

\$15,000.00 in fees.

**IT IS FURTHER ORDERED** that if, after receiving the Court's EAJA fee order, the Commissioner (1) determines upon effectuation of the Court's EAJA fee order that Plaintiff does not owe a debt that is subject to offset under the Treasury Offset Program, (2) agrees to waive the requirements of the Anti-Assignment Act, and (3) is provided a valid assignment of fees executed by Plaintiff, the fees will be made payable to Plaintiff's attorney and mailed to Plaintiff's attorney's office as follows:

Seidlitz Law Office  
P.O. Box 1581  
Great Falls, MT 59403-1581

However, if there is a debt owned under the Treasury Offset Program, the Commissioner cannot agree to waive the requirements of the Anti-Assignment Act, and a check for any remaining EAJA fees after offset will be paid by a check made out to Plaintiff, but delivered to Plaintiff's attorney's office at the address stated above.

DATED this 24<sup>th</sup> day of June, 2021.



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Kathleen L. DeSoto  
United States Magistrate Judge